

had been transported from the State of Oregon into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Paulus Bros. Packing Co., Salem, Oregon, U. S. A. White Tag Pitted Royal Anne Cherries Packed in Water."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed vegetable substance.

On July 21, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18706. Adulteration of canned shrimp. U. S. v. 500 Cases of Canned Shrimp. Consent decree of condemnation. Product released under bond. (F. & D. No. 26441. I. S. No. 11147. S. No. 4728.)

Samples of canned shrimp from the shipment herein described having been found to be partially decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the District of Oregon.

On May 22, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 500 cases of canned shrimp, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the Louisiana Oyster & Fish Co., from Berwick, La., on or about November 7, 1930, and had been transported from the State of Louisiana into the State of Oregon, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance.

On June 9, 1931, the General Grocery Co., Portland, Oreg., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a good and sufficient bond, conditioned in part that it should not be sold or disposed of contrary to law, and that it be reconditioned in a manner satisfactory to this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18707. Adulteration and misbranding of butter. U. S. v. 2 Cases, et al., of Butter. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 26757. I. S. Nos. 25564, 25565. S. No. 4859.)

Samples of butter from the shipments herein described having been found to contain less than 80 per cent of milk fat, the standard provided by Congress, and portions of the article having been found short of the declared weight, the Secretary of Agriculture reported the matter to the United States attorney for the District of Kansas.

On June 17, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of three cases, containing 83 pounds of butter, at Kansas City, Kans., alleging that the article had been shipped by Hickman Bros., Kansas City, Mo., in part on or about June 11, 1931, and in part on or about June 13, 1931, and had been transported from the State of Missouri into the State of Kansas, and charging that the article was adulterated, and that a portion was also misbranded in violation of the food and drugs act as amended. The article was labeled in part: "Dairy Clover Brand Creamery Butter One Pound Net."

It was alleged in the libel that the article was adulterated in that it contained less than 80 per cent of butterfat.

Misbranding was alleged with respect to a portion of the article for the reason that the statement, "One Pound Net Weight," appearing on the label, was false and misleading and deceived and misled the purchaser, since the said packages contained less than 1 pound net weight.

On June 25, 1931, the Mound City Creamery Co., Mound City, Mo., having entered an appearance as claimant and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered by the court that the product be released to the said claimant upon the execution of a bond in the sum of \$100, conditioned that it be destroyed under the supervision of this department and that claimant pay costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*